

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 09-0616-2524

ELECTIONS: UNIT S-57
(herein Subject Drilling Unit)

TAX MAP IDENTIFICATION NUMBERS:

Tax map identification numbers for all parcels affected by this order are shown on Exhibit marked "Tract Identifications" which is attached to and a part of this order.

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on November 24, 2009 which was recorded in Deed Book 1066 Page 0462 in the Office of the Clerk of the Circuit Court of Tazewell County, Virginia, on November 30, 2009, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit S-57;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company PO Box 3860 Kingsport, TN 37664, Attn: Debbie Davis or any successor named by the Board to establish

BK 1090PG0877

interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

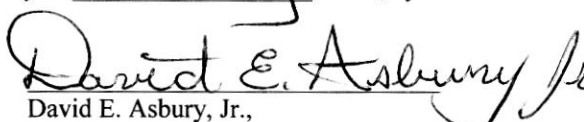
Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 7 day of Feb., 2010, by a majority of the Virginia Gas and Oil Board.

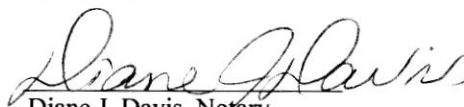

Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 7 day of February, 2010, by Order of the Board.


David E. Asbury, Jr.,
Principal Executive to the Staff of the Board

STATE OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 7th day of February, 2010, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and appeared David E. Asbury Jr., being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.


Diane J. Davis, Notary
174394

My commission expires: September 30, 2013



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit S-57
VGOB 09-0616-2524 in the Maiden Springs District of Tazewell County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Land Resources, Inc., as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on November 24, 2009, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Lebanon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on November 30, 2009;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of November 24, 2009;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

BK1090PG0879

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

See attached Exhibit B-2

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

Francis Buchanan Altizer, Holly Altizer Bilbro, Donald Graham Altizer,, Michael Newton Altizer, and Oscar F. Dailey, et ux

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

None

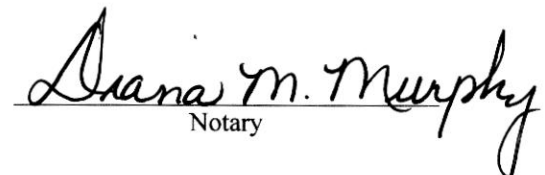
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 27th day of August, 2010.


Anita D. Duty

STATE OF WEST VIRGINIA
COUNTY OF MERCER

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 27th day of August, 2010.


Notary

My commission expires: December 4, 2016



PROPERTY LINES SHOWN ON THIS PLAT WERE TAKEN
FROM DEED DESCRIPTIONS AND CHAIN OF TITLE
AND DOES NOT REPRESENT A CURRENT FIELD

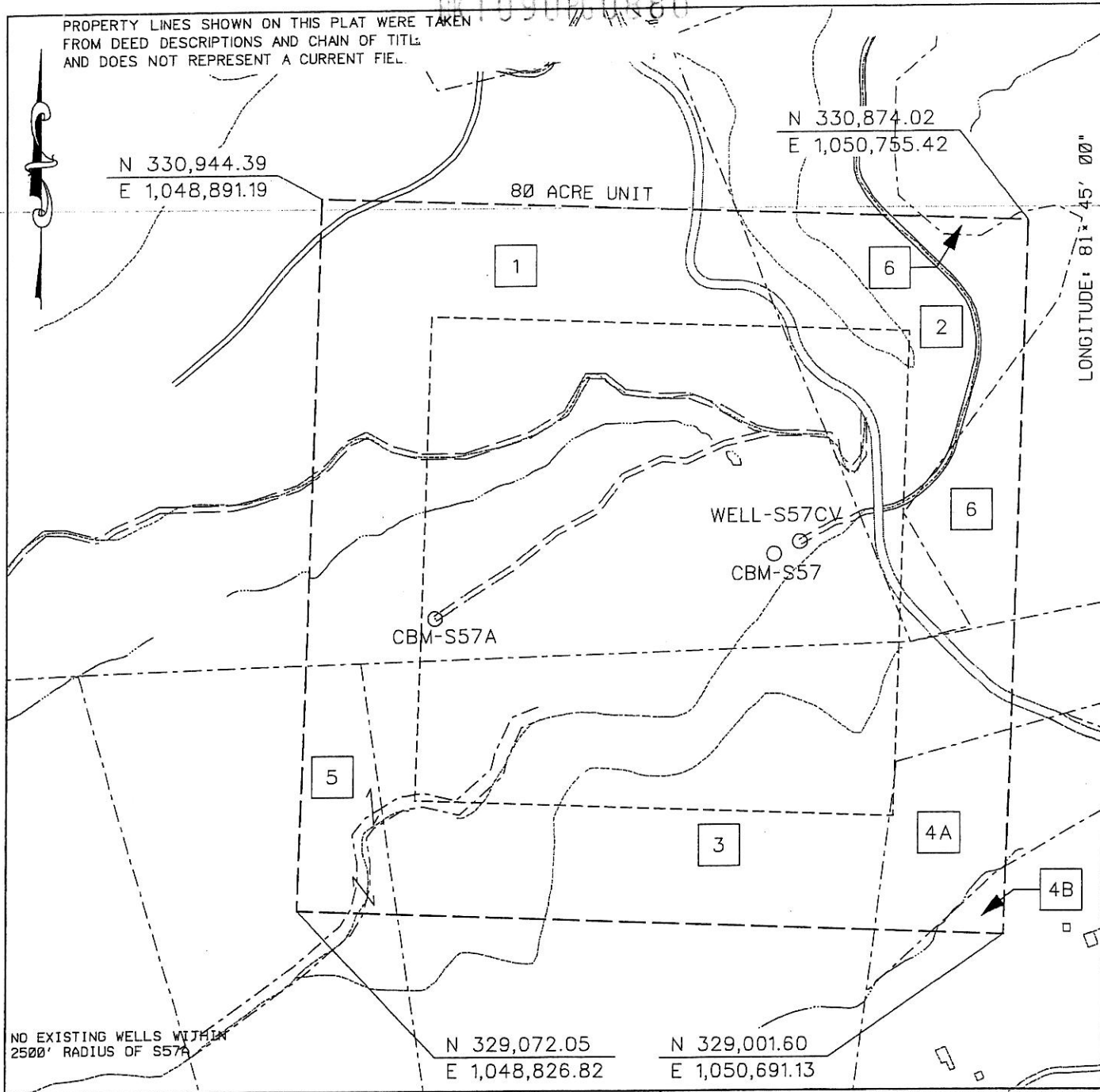


EXHIBIT A
OAKWOOD FIELD
UNIT S57
FORCE POOLING
VGOB 09-0616-2524

Company CNX Gas Company LLC Well Name and Number UNIT S57
Tract No. _____ Elevation _____ Quadrangle JEWELL
County TAZEWELL District MAIDEN SPRINGS Scale: 1" = 400' Date 4/20/09
This plat is a new plat _____ ; an updated plat X ; or a final plat _____

Form DGO-GO-7
Rev. 9/91

Licensed Professional Engineer or Licensed Land Surveyor

TIMOTHY E. HORN
(Lic. No. 035686)

CNX Gas Company LLC
UNIT S-57
Tract Identification

1. Pocahontas Mining Limited Liability Company, Tract B (200.47 Acre Tract) – Fee
 Reserve Coal Properties Company – Coal in the P3 Seam and 250' above Leased
 Jewell Smokeless Coal Corporation – Coal in the Tiller and Raven Seams and all Seams between Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 (Tax Map 47, Parcel 19)
 36.37 acres 45.4625%

2. James W. Harman, III, et al (19.80 Acres p/o 185.00 Acre Tract) – All Mineral except Jewell Ridge Seam of Coal
 Jewell Ridge Coal Corporation – Jewell Ridge Seam of Coal
 Consolidation Coal Company – Below Drainage Coal Lease
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 Unknown Surface Owner
 (Tax Map 28A, Parcel 12)
 9.99 acres 12.4875%

3. George D. Altizer Heirs (33.00 Acres - p/o 70 Acre Tract) – Fee
 (Tax Map 48, Parcel 1)
 23.94 acres 29.9250%

- 4A. Berwind Land Company, Tract 152 (George W. Reynolds 70.00 Acre Tract) – Coal
 Consolidation Coal Company – All Coal Leased
 CNX Gas Company LLC – CBM Leased
 George D. Altizer Heirs – Surface, Oil and Gas
 (Tax Map 48-01, Parcel 6A, 7, & 7A)
 3.16 acres 3.9500%

- 4B. Berwind Land Company, Tract 152 (George W. Reynolds 70.00 Acre Tract) – Coal
 Consolidation Coal Company – All Coal Leased
 CNX Gas Company LLC – CBM Leased
 Oscar F. Dailey, et ux – Surface, Oil and Gas
 (Tax Map 48-01, Parcel 3A, & 4)
 0.40 acres 0.5000%

5. Consolidation Coal Company, Tract 265 (Faraday 343.06 Acre Tract) – All Coal except the Squire Jim Seam
 Reserve Coal Properties Company – Squire Jim Seam of Coal
 Cabot Oil and Gas Corporation – Oil and Gas
 CNX Gas Company LLC – CBM
 George D. Altizer Heirs – Surface
 (Tax Map 47, Parcel 36B)
 3.06 acres 3.8250%

6. James W. Harman, III, et al (185.00 Acre Tract) – All Minerals
 Consolidation Coal Company – Below Drainage Coal Lease
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 Unknown Surface Owner
 (Tax Map 28A, Parcel 12)
 3.08 acres 3.8500%

5K1090PG0082

Exhibit B-2

Unit S-57

Docket #VGOB 09-0616-2524

List of Respondents to be Added and/or Dismissed

	Acres in Unit	Percent of Unit	Reason for Dismissal
I. COAL OWNERSHIP			
<u>Tract #3, 23.94 acres</u>			
(1) George D. Altizer Heirs, Devisees, Successors or Assigns (268.51 Acre Tract)	23.94 acres	29.9250%	
Francis Buchanan Altizer, conveyed onto Holly Altizer Bilbro, Donald Graham Altizer, and Michael Newton Altizer as joint tenants with right of survivorship as at common law all her interest in the subject property.			
(a) Holly Altizer Bilbro 900 Laurel Creek Lane Lewisville, NC 27023	7.98 acres 1/3 of 23.94 acres	9.9750%	Leased
(b) Donald Graham Altizer 5152 Remington Road Roanoke, VA 24018	7.98 acres 1/3 of 23.94 acres	9.9750%	Leased
(c) Michael Newton Altizer 2273 Maiden Lane Roanoke, VA 24015	7.98 acres 1/3 of 23.94 acres	9.9750%	Leased
II. OIL & GAS OWNERSHIP			
<u>Tract #3, 23.94 acres</u>			
(1) George D. Altizer Heirs, Devisees, Successors or Assigns (268.51 Acre Tract)	23.94 acres	29.9250%	
Francis Buchanan Altizer, conveyed onto Holly Altizer Bilbro, Donald Graham Altizer, and Michael Newton Altizer as joint tenants with right of survivorship as at common law all her interest in the subject property.			
(a) Holly Altizer Bilbro 900 Laurel Creek Lane Lewisville, NC 27023	7.98 acres 1/3 of 23.94 acres	9.9750%	Leased
(b) Donald Graham Altizer 5152 Remington Road Roanoke, VA 24018	7.98 acres 1/3 of 23.94 acres	9.9750%	Leased
(c) Michael Newton Altizer 2273 Maiden Lane Roanoke, VA 24015	7.98 acres 1/3 of 23.94 acres	9.9750%	Leased
<u>Tract #4A, 3.16 acres</u>			
(1) George D. Altizer Heirs, Devisees, Successors or Assigns (268.51 Acre Tract)	3.16 acres	3.9500%	
Francis Buchanan Altizer, conveyed onto Holly Altizer Bilbro, Donald Graham Altizer, and Michael Newton Altizer as joint tenants with right of survivorship as at common law all her interest in the subject property.			
(a) Holly Altizer Bilbro 900 Laurel Creek Lane Lewisville, NC 27023	1.05 acres 1/3 of 3.16 acres	1.3167%	Leased
(b) Donald Graham Altizer 5152 Remington Road Roanoke, VA 24018	1.05 acres 1/3 of 3.16 acres	1.3167%	Leased
(c) Michael Newton Altizer 2273 Maiden Lane Roanoke, VA 24015	1.05 acres 1/3 of 3.16 acres	1.3167%	Leased

OK1090P60883

Exhibit B-2

Unit S-57

Docket #VGOB 09-0616-2524

List of Respondents to be Added and/or Dismissed

		Acres in Unit	Percent of Unit	Reason for Dismissal
<u>Tract #4B, 0.40 acres</u>				
(1)	Oscar F. Dailey, et ux. 1501 Reynolds Ridge Road Bandy, VA 24602	0.40 acres	0.5000%	Leased

EX 1090PG0801

Exhibit B-3
Unit S-57
Docket #VGOB 09-0616-2524
List of Unleased Owners/Claimants

Acres in Unit	Percent of Unit
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This Unit is 100% Leased

Exhibit E
Unit S-57

Docket #VGOB 09-0616-2524

List of Conflicting Owners/Claimants that require Escrow

EX 10906085

	Acres in Unit	Percent of Unit
<u>Tract #4A, 3.16 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Berwind Land Company, Tr.152 (George W. Reynolds 70 Acre Tract) PO Box 79017 Baltimore, MD 21279-0017	3.16 acres	3.9500%
<u>OIL & GAS OWNERSHIP</u>		
(1) Michael Newton Altizer, et al (aka George D. Altizer Heirs) (268.51 Acre Tract)	3.16 acres	3.9500%
(a) Michael Newton Altizer 2273 Maiden Lane Roanoke, VA 24015	1.05 acres 1/3 of 3.16 acres	1.3167%
(b) Holly Altizer Bilbro 900 Laurel Creek Lane Lewisville, NC 27023	1.05 acres 1/3 of 3.16 acres	1.3167%
(c) Donald Graham Altizer 5152 Remington Road Roanoke, VA 24018	1.05 acres 1/3 of 3.16 acres	1.3167%

Tract #4B, 0.40 acres

COAL OWNERSHIP

- (1) Berwind Land Company, Tr.152
(George W. Reynolds 70 Acre Tract)
PO Box 79017
Baltimore, MD 21279-0017

0.40 acres 0.5000%

OIL & GAS OWNERSHIP

- (1) Oscar F. Dailey, et ux.
1501 Reynolds Ridge Road
Bandy, VA 24602

0.40 acres 0.5000%

INSTRUMENT #110000659
RECORDED IN THE CLERK'S OFFICE OF
TAZEWELL COUNTY ON
FEBRUARY 28, 2011 AT 04:19PM

JAMES E. BLEVINS, CLERK

RECORDED BY: HDR

5/20/2010